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June 26, 2012

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: ***In the Matter of Service Rules for Advanced Wireless Services in the 2000-2020 MHz and 2180-2200 MHz Bands,*** **WT Docket No. 12-70;** ***Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525-1559 MHz and 1626.5-1660.5 MHz, 1610-1626.5 MHz and 2483.5-25000 MHz, and 2000-2020 MHz and 2180-2200 MHz,*** **ET Docket No. 10-142*; Service Rules for Advanced Wireless Services in the 1915-1920 MHz, 1995-2000 MHz, 2020-2025 MHz and 2175-2180 MHz Bands*; WT Docket No. 04-356**

Dear Ms. Dortch:

The U.S. Chamber of Commerce, the world's largest business federation, representing the interests of more than three million businesses and organizations of every size, sector, and region, supports the effort by the Federal Communications Commission ("Commission") to address the "widely-acknowledged"[1] need for additional spectrum for terrestrial mobile broadband by eliminating unnecessary rules that are hindering flexible use of spectrum currently assigned to the Mobile Satellite Service (MSS) in the 2 GHz band.[2]

The Commission should create service, technical, and licensing rules for spectrum between 2000-2020 MHz and 2180-2200 MHz (the "AWS-4 band" or "2 GHz MSS band") to help address our nation's looming "spectrum crunch" and appropriately protect incumbent services from harmful interference. Though these rules are expected to be issued by the end of

[1] Notice of Proposed Rulemaking and Notice of Inquiry, *In the Matter of Service Rules for Advanced Wireless Services in the 2000-2020 MHz and 2180-2200 MHz Bands*, WT Docket No. 12-70*; Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525-1559 MHz and 1626.5-1660.5 MHz, 1610-1626.5 MHz and 2483.5-25000 MHz, and 2000-2020 MHz and 2180-2200 MHz*, ET Docket No. 10-142*; Service Rules for Advanced Wireless Services in the 1915-1920 MHz, 1995-2000 MHz, 2020-2025 MHz and 2175-2180 MHz Bands*, WT Docket No. 04-356, FCC 12-32, ¶ 12 (Mar. 21, 2012) ("*AWS-4 NPRM and NOI*").

[2] *Id.* at ¶ 1.

the year, the need to augment the nation's supply of mobile broadband spectrum requires an expedited process that would allow these rules to be released by the third quarter of 2012.

Additionally, to achieve an even greater supply of spectrum for mobile broadband, the Chamber also welcomes the AWS-4 Notice of Inquiry (NOI) on the development of spectrum policies that would "take into account the synergies that exist with other spectrum bands, including those currently being considered for future reallocation."[3]

I. Mobile Broadband is a Key Component of U.S. Economic Growth

To help our economy recover, the Chamber believes that mobile broadband will be a key component in the creation of jobs and innovation. Chairman Genachowski echoed this sentiment in his speech at the Chamber last year when he stated that, "[t]o make sure that the U.S. is getting a full and growing share of broadband-enabled jobs, we've got to get our broadband infrastructure right."[4] The Commission's National Broadband Plan also reiterates this belief, saying that "[w]ireless broadband is poised to become a key platform for innovation in the United States over the next decade."[5]

Jobs and new business opportunities are being created because mobile providers are investing tens of billions of dollars every year to upgrade their networks allowing for higher speeds and greater capacity, and, at the same time, innovative broadband-enabled applications, services, and devices are being developed. U.S. mobile commerce sales in 2011 were an estimated $6.7 billion, an increase of 91.4 percent over 2010, and are projected to reach $31 billion by 2015.[6] According to CTIA, mobile innovation supports 2.4 million U.S. jobs and contributes $100 billion annually to U.S. GDP.[7] The deployment of 4G wireless services could generate up to $53 billion in new capital investments, produce up to $151 billion in gross domestic product growth, and create as many as 771,000 jobs, according to a report by Deloitte.[8]

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[3] Comments of Verizon, ET Docket No. 10-142, at 4, July 8, 2011.

[4] FCC Chairman Julius Genachowski, *Prepared Remarks to U.S. Chamber of Commerce* at 4, Oct. 14, 2011, *available* at: http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-310395A1.pdf. ("*Genachowski U.S. Chamber Remarks").*

[5] Federal Communications Commission, *Connecting America: The National Broadband Plan* at 75, Mar. 2010, *available at*: http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-296935A1.pdf.

[6] Press Release, *US M-Commerce Sales to Grow 91% to $6.7 Billion in 2011*, eMarketer, Dec. 11, 2011, *available at*: http://www.emarketer.com/PressRelease.aspx?R=1008716.

[7] CTIA-The Wireless Association, GN Docket No. 09-51, WT Docket Nos. 08-165, 09-66, July 9, 2009.

[8] *The Impact of 4G Technology on Commercial Interactions, Economic Growth, and U.S. Competitiveness*, Deloitte, Aug. 2011, *available at:* http://www.deloitte.com/assets/Dcom-UnitedStates/Local%20Assets/Documents/TMT_us_tmt/us_tmt_impactof4g_081911.pdf.

II. Additional Spectrum for Mobile Broadband is Necessary

The Chamber, however, is extremely concerned that without additional spectrum for mobile broadband, this virtuous cycle of innovation and job creation will be stifled. As Chairman Genachowski has warned, "Demand for spectrum is rapidly outstripping supply….Compared to the standard phones we upgraded from, the demand smartphones place on spectrum isn't double; it's not triple. It's 24 times more. For tablets, it's 120 times as much….The spectrum crunch is the single biggest threat to one of the most promising parts of our economy."[9]

The National Broadband Plan echoes this warning, saying that "[t]he growth of wireless broadband will be constrained if government does not make spectrum available to enable network expansion and technology upgrades…[leading to] higher prices, poor service quality, an inability for the U.S. to compete internationally, depressed demand and, ultimately, a drag on innovation."[10]

As consumers embrace tablets, smart appliances, and other wireless broadband-enabled devices, mobile network traffic has skyrocketed. In 2011, the number of smartphones connected to the Internet increased by 43 percent, and the number of wireless-enabled laptops, tablets, and wireless broadband modems increased by 49 percent.[11] During this same period, U.S. wireless data traffic grew by 2011 and now "amounts to more than 866 billion megabytes a year."[12]

As more and more people connect more and more devices to the Internet, U.S. mobile data traffic is expected to increase 18-fold between 2011 and 2016.[13] U.S. mobile data traffic in 2016 will be the "equivalent to four times the volume of the entire U.S. Internet in 2005."[14] In the United States, the amount of mobile data traffic per month will increase from 319 megabytes

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[9] *Genachowski U.S. Chamber Remarks* at 5.

[10] *National Broadband Plan* at 77.

[11] Reply Comments, CTIA—The Wireless Association, *Wireless Telecommunications Bureau Seeks Comment on the State of Mobile Wireless*, WT Docket No. 11-186 at 5, *available at*: http://apps.fcc.gov/ecfs/document/view?id=7021914773.

[12] *Id.*

[13] Press Release, *Cisco Visual Networking Index: Global Mobile Data Traffic Forecast Update, 2011–2016.*, Cisco Systems, Inc., Feb. 14, 2012, *available at*: http://www.cisco.com/en/US/solutions/collateral/ns341/ns525/ns537/ns705/ns827/white_paper_c11-520862.html. (*"Cisco Visual Networking Index Forecast").*

[14] *Id.*

in 2011 to 4,008 megabytes in 2016.[15] Mobile-connected tablets will generate almost as much traffic in 2016 as the entire global mobile network in 2012.[16]

III. Allowing Mobile Satellite Service (MSS) in the 2 GHz Band to be Used for Mobile Broadband Will Help Alleviate the Spectrum Crunch

The National Broadband Plan calls for "making more spectrum available on a flexible basis"[17] and "optimiz[ing] license flexibility sufficient to increase terrestrial broadband use of MSS spectrum"[18] Hence, consistent with the National Broadband Plan, the Commission should adopt rules allowing flexible usage of the AWS-4 band/2 GHz MSS band that will "increase investment and utilization of the band in a manner that further serves the public interest,"[19] appropriately protect "incumbent operations in neighboring bands,"[20] and keep the spectrum free from any new set of unique and burdensome rules that could delay or limit its full potential.

As evidenced by legislation—signed into law earlier this year—authorizing incentive auctions for spectrum, Congress and the Administration recognize the importance of ensuring sufficient spectrum for mobile broadband.[21] Additionally, NTIA shares this belief and conducted a fast-track review of federal spectrum that could be reallocated for commercial mobile broadband.[22] Similarly, though rules are expected in the AWS-4 proceeding by the end of the year, the Commission should establish an expedited process to ensure the release of the rules by the third quarter of 2012.

IV. The Commission Should Proceed with its AWS-4 NOI to Examine the Benefits of Alternate Band Plans

In the AWS-4 NOI, the Commission put forth an alternate band plan that "incorporates the NTIA proposal to reallocate the 1695-1710 MHz band from Federal to commercial use."[23]

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[15] *Id.*

[16] *Id.*

[17] *National Broadband Plan* at 75.

[18] *Id.* at 87.

[19] *AWS-4 NPRM and NOI* at ¶ 14.

[20] *Id.* at ¶ 29.

[21] Middle Class Tax Relief and Job Creation Act, P.L. 112-96.

[22] NTIA, *An Assessment of the Near-Term Viability of Accommodating Wireless Broadband Systems in the 1675-1710 MHz, 1755-1780 MHz, 3500-3650 MHz, and 4200-4220 MHz, 4380-4400 MHz Bands (President's Spectrum Plan Report)*, Oct. 2010, *available at*: http://www.ntia.doc.gov/files/ntia/publications/fasttrackevaluation_11152010.pdf.

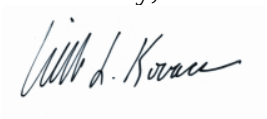
[23] *AWS-4 NPRM and NOI* at ¶ 138.

To increase the amount of mobile broadband spectrum, the Chamber supports the examination of this plan as well as others to ensure that unused or underused spectrum is put to its highest and best use and that reallocation policies are adopted as expeditiously as possible. The Chamber also agrees that the NOI should not "impede the timely implementation of the proposed AWS-4 service."[24] The Commission should proceed with its AWS-4 NPRM in the short-term and also pursue its broader examination of spectrum policies.

V. Conclusion

Today our nation faces many significant challenges, but no priority is more important than job creation. Innovative services and products enabled by mobile broadband will be a key component of our nation's economic recovery. Therefore, the Chamber supports the adoption of appropriate flexible spectrum use rules in the AWS-4 band. Thank you for the opportunity to participate in this proceeding.

Sincerely,



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[24] *Id.* at ¶ 137.